

***Silver Spring Urban District Advisory Committee***  
***Meeting***  
***May 17, 2007***

**Members Present:** Genny Hardesty, Bob Middleton, Renee Okon, Jon Lourie, Abrielle Anderson, Pete Esker, Barbara Henry and Charles Atwell

**Members Absent:** Edward Baca-Asher, Bryant Foulger, and Nancy Schwiesow

**Guest:** Commander Betsy Davis, Captain Don Johnson, Phil Olivetti, Mary Pat Spon, Glenn Kreger, Harry Sanders, Neal Blake, Tom Collins, David Chikvashvili, Jennifer Deseo, Mike Madden,

**Staff:** Gary Stith, Vicki Lockerman, and Susan Hoffmann

**Welcome/Introduction** – Barbara Henry, Vice Chair called the meeting to order at 3:30 p.m.

**Motion:** (Middleton, Henry) the Silver Spring Urban District Advisory Committee approved the April 2007 minutes

**Update on the Purple Line**

Mike Madden reported that:

- We have been working with the County, Park and Planning Commission and the community on alignments through Silver Spring, Bethesda, and University of Maryland. The blue area indicated on the map shows alignments eliminated and the purple area indicates alignments still on the table for consideration and detailed definition of alternatives that will be studied.
- The revised project schedule is Alternative Analysis/ Drafted Environmental Impact Statement (DEIS) completed by Spring 08. DEIS Public Hearing on the document containing information on cost, impacts, travel time of each alternative and a comparison of one alternative to another. The document will not contain the preferred alternative because the decision is made after the public hearing. The State, County and whomever else they want to consult with will make the decision on the preferred alternative. Preferred alternative means the mode and we are studying both light rail and Bus Rapid Transit, and the specific alignment. In Silver Spring we have several different alignments, the preferred alternative would be selected and we would submit a New Starts Report to the Federal Transit Administration, the project would be rated because it needs to be cost effective. If the project does not meet the Federal Transit Administration requirements on cost effective index the project will not go forward to the next phase which is preliminary engineering. The earliest we could start construction is 2012 and that is assuming Federal and State funding are available. We have money to complete everything up until that point of construction.
- We continue to carry out community focus groups and divided the 16 mile corridor into eight different focus groups one for Downtown Silver Spring, East Silver Spring, and Bethesda along the Master Plan alignment etc. Each focus group concentrates on a specific segment of the project. We listen to community issues, review the latest design plans, address issues and make

changes to the plan. We continue briefing elected officials and briefed the Planning Board today. We received a requested by Prince George's and Montgomery County Council Members to have a briefing on the project.

We eliminated some of the alignments and added one alignment which is Bonifant Street. Other alignment's have been modified on as to how they will be constructed. Looking at the Master Plan our main objective is to include to the extent we can the experience of the trail.

We had Bus Rapid Transit (BRT) option on 16<sup>th</sup> Street to East West Highway. The BRT vehicles would access Silver Spring Transit Center from Colesville Road and this alignment is being eliminated from the standpoint of travel time based on our traffic analysis. We are focusing along the CSX corridor on the south side of CSX. The Master Plan assumed the north side, single track through there and you could be closer to the railroad than you are today. They increased there offset requirements in terms of how close you can be and in addition if we go to the north side we would need to build a tunnel to get under the railroad to the north side and this would cost approximately seventy to eighty million dollars but if we stay on the south side we avoid that cost. Eventually to get into the transit center which is the clear objective we actually build up above the CSX tracks but the longer we can remain on the south side the less cost we will incur.

We had three alignments on the table. Sligo Avenue we were looking at both the deep tunnel option and the at grade surface running option. The Silver Spring/Thayer Avenue was assumed to be a covered option up to Thayer Avenue back on the street at Thayer Avenue up to Piney Branch Road. We also had alignments from Ripley Street, Sligo and every where to get off at Wayne Avenue. We eliminated the alignment on Sligo Avenue deep tunnel and surface run which has significant impact associated with it because the right-a-way is not wide enough to have two traffic lanes and two dedicated lanes so the transitway would either be a portion of the road or all one-way traffic, there where significant property impacts associated with this and we dropped the tunnel option because of high cost and impact to the community.

Bob Middleton asked about Spring Street and whether to get to the Silver Spring Transit Center are you following the south route of CSX.

Mike Madden responded that if we are along the CSX corridor we would likely be on the south side and continue to assess the impact associated with the north side but this is not the focus in term of the engineering plans and strictly from impact assessment we continue to assess the north side. Another alignment would go across the CSX corridor at Spring Street and come down Second Avenue and hook-up to Wayne Avenue. The alignments that were light rail and BRT that would go across on an aerial structure over Colesville Road have been dropped. We do have a BRT alignment that comes down Second Avenue cross Colesville Road at grade and onto Wayne Avenue. For BRT the vehicles would pull from Colesville Road into the transit center. BRT would ride on Second Avenue just like cars do today. On Second Avenue we would need a minimum of four lanes with a left turn lane.

Charles Atwell stated that there are townhouses on one side and office building on the other.

Mike Madden responded that there will be no parking along Second Avenue between Spring Street until we get into the transit center and this is not our favorite option. When we get by the intersection we are trying to make a section that has the same curb to curb width which is 50 feet and won't know if our traffic numbers can support this until later this summer. If you go further up Spring Street there is some provision for parking but we can not accommodate the parking and thru lanes. We have two scenarios one is sharing the lanes with the buses or dedicated lanes. This alignment may not work with the travel time and we may be required to go back and review. Second Avenue is still an option but we don't have sufficient information to entirely eliminate the Bus Transit Rapid option that would not go over Colesville Road. We still have a preference and advantages to being directly in the Transit Center but need to evaluate the travel time, connection, ridership and impact.

Genny Hardesty asked how cost effective the north, south options are on Second Avenue or the CSX rail which one is more expensive.

Mike Madden responded that they don't know which option would be more expensive. Probably Second Avenue would be cheaper but has disadvantages because you are not in the Transit Center. It would cost less but time consuming getting to the transit center. They are looking at Second Avenue as getting priority treatment at lights and there would be an impact on Colesville Road and we don't think preemption would work. Preemption means the buses would have some type of button the driver would hit and within seconds the light would change to green. Priority being if the driver can clear the intersection he would hit the button and hold the light five or six seconds to come across safely but all these things are being worked out. Ideally two extra lanes would work but we don't have the room or money. We are talking about cost effectiveness and not just the absolute cost but the cost provided by the benefits meaning the number of riders and travel time saved.

Rene Okon asked about pedestrian safety and them hitting a button for the light to turn green

Mike Madden responded they took into consideration pedestrian access and the impact. Even if they did go to preemption you could not turn the red signal green particularly if the other signals just turned green.

Genny Hardesty asked when they would have a final route.

Mike Madden responded that a final route will be selected after the DEIS in the spring or summer of 2008. We are looking at the Bonifant Street alignment trying to get up to Wayne Avenue as quick as we can because the Second Avenue, Wayne Avenue light rail option is off the table. We need to find a way to have the light rail alternative go up to Wayne Avenue. We are working closely with the County and Park and Planning Commission on the Bonifant Street alignment. It comes out of the Transit Center up in the air and needs to go back down to the grade. We would take the 1110 Bonifant office building go through that building down to grade on Bonifant Street as it crosses Georgia goes along the north side of Bonifant come across the site for the new Silver Spring Library and connects into the intersection at Fenton and Wayne. We are looking at an alignment on Ripley at the CSX corridor along Ripley to Georgia, turn north on Georgia and connect to Bonifant and this would be both BRT and light rail.

Barbara Henry asked how they planned to get through Fenton and Wayne because the intersection is terrible now.

Mike Madden responded they will be discussing recommendations with the County and recommend some restrictions on Bonifant Street regarding regular traffic. We are working on producing a traffic model that shows how to get across Georgia and into the intersection of Wayne. There are traffic issues on how the intersection works today but we are working on how we can make it work.

Charles Atwell asked if any of the proposed alignments affect any potential development either County or private property under your renovation of alignments or potential alignments.

Mike Madden responded that the only development impact is the library site and they are working with the County to integrate the transitway into the development. We are working closely with 1050 Ripley because they are looking to put in a parking garage below grade.

Charles Atwell asked while this is being contemplating over the next year will development in downtown Silver Spring be held up.

Mike Madden responded to his knowledge no development will be held up in downtown Silver Spring currently.

Charles Atwell stated previously the County was asked not to do anything with Lot 3

Glenn Kreger stated the County had an RFP out and they pulled it back because of the alignment through Lot 3.

Mike Madden responded that they explained to the County that they had an alternative going through Lot 3 and the County made the decision to withhold.

Charles Atwell stated that an important piece is that the results of these studies in downtown Silver Spring from a development, private or public not be impacted other than what was eluded to on Bonifant Street and the library. It would be detrimental to the continuation of the revitalization of Silver Spring if development projects were put on hold as a result of these studies.

Mike Madden stated they are very much aware of the results of the studies and the impact they may have on development in downtown Silver Spring and that is why we are working very closely with Park and Planning.

Mike Madden stated that University of Maryland, Montgomery and Prince George's County all have expressed a very strong preference for light rail versus BRT and we continue to evaluate both.

Jon Lourie asked as the studies continue on the BRT design eventually you will have some detailed pictures that the Committee can review to see what the impact is.

Mike Madden responded that any of the pictures seen today could be BRT or light rail and on Second Avenue we have some cross sections. *For comprehensive details of the Purple Line presentation update please refer to Project Briefing booklet distributed at the May 17 meeting.*

### **Police Update**

Commander Davis introduced Vera White the new Community Prosecutor, her goal is to report to the Silver Spring Urban District Committee on crime issues and impact statement that needs to be made in court.

Vera White stated that she started her career as a Prosecutor when nobody thought Silver Spring could be brought back. Seeing the wonderful work that has been done is inspirational. My role is to assist in any way that I can. We are working on a brochure that will include our offices contact information and will furnish you this material as soon as it is complete. You may contact me at [vera.white@montgomerycountymd.gov](mailto:vera.white@montgomerycountymd.gov).

Commander Davis reported that:

- Since May 1, 43 vehicle thefts have occurred in the Silver Spring District. We have locations such as Kennett and Eastern, Kennett Street garage, Sligo Avenue up into the residential neighborhoods up to White Oak. Toyota and Honda vehicles are mostly stolen. I would encourage you to put a club or an alarm on your vehicle as a deterrent.
- We had a few commercial burglaries Fenton Uniforms, Curtis Properties and the CITGO Gas Station on Fenton Street. One of our midnight Officer responded within 11 seconds to the burglar alarms over at the CITGO Gas Station on Fenton Street and made an arrest. The guy was homeless and we think he may be responsible for a couple of other robberies.
- The Go Go at the Boys and Girls Club has been cancelled. Councilmember Valerie Ervin, Gary Stith, and Natalie Cantor and I met with the promoters. We voiced our concerns and opinion and they did not get the permit.
- Tim Cupples sent an e-mail regarding the pedestrian bridge and there are some problems with the lights they ordered. They are working on getting this issue resolved and have updated the community.
- Ellsworth Drive is very active because it is summer time and more people are out. We have extra patrols and are looking for extra grant money from the Gang Task Force. Commander Davis introduced Captain Don Johnson who will replace her on June 3 as Commander of the 3<sup>rd</sup> District because of her new position as Assistant Chief.
- We had an officer that was killed a couple weeks ago and thanks to everyone for expressing their. A Rockville Detective was involved in a tragic automobile accident last Friday. She was off duty and driving her personal vehicle when the incident occurred. She is in shock trauma and had her lung removed with a 20% survival. This was a road rage incident where the other driver cut her off.

Barbara Henry thanked all the Police, Gary Stith and staff for helping with the Ted Kopple live event.

Bob Middleton stated that during his five years on the Committee he has been a fairly strong supporter of the Police and hopes that Captain Johnson will continue what Commander Davis has put in place and make sure that the officers fully understand their obligations. There are things that can be done to assist the officers in making better financial decisions and there is a wealth of knowledge in downtown Silver Spring and perhaps the Committee could come up with ideas to help facilitate the officers.

Vera White commented that her office was taken this matter very seriously and had an emergency meeting to discuss the situation but we all must remember you are innocent until proven guilty. We are doing a full investigation, not jumping to conclusions and black listing good officers.

**Motion:** (Atwell, Anderson) that the Urban District Advisory Committee send a letter commending Commander Davis on her excellent work in downtown Silver Spring.

Genny Hardesty on behalf of the Silver Spring Urban District Advisory Committee congratulated Commander Davis on her new position and gave her a gift as token a of appreciation.

### **Discussion on Development Review Criteria & Process**

Glenn Kreger reported that:

- The Committee can provide input to the Planning staff that reviews the project and the Planning Board. If there is an application pending the Planning Board can not speak with you directly but you can testify.
- We think it is important that the community participate early in the process and make the Developers aware of concerns and things they want them to think about as they plan projects. When meeting with Developers we discuss specifics and they normally meet with us before they have filed a pre-application. At that time we try to give them input on the project and encourage outreach to the community. There is a requirement that developers have public meetings with the community before they file and they must give us an affidavit stating they have done this.
- In Silver Spring we have an Optional Method process which is very complicated. We must remind ourselves what the purpose of the Optional Method process is and that the CBD Zone has Standard Method and Optional Method. Developers assume they are entitled to Optional Method density and building heights but they are not. They are entitled to what they can get under Standard Method provided they meet the various development criteria. A Developer has to earn Optional Method density by providing additional public amenities and public use space. We need to make sure as staff and community that they provide what they are suppose to that will enhance the entire community.
- We have a pre-application check list when developer's meet with us for CBD projects. We remind the developer that they have to meet the development standards, provide the amenities and convince the Planning Board.
- When meeting with the developer we look at very basic things such as, is the site big enough for an optional method project, are they satisfying basic development standards on what they are proposing including public use space and public amenities. Going back to the beginning of optional method we can tell you every project providing public use space. We asked about their amenity package, mix of uses and encourage ground floor retail in building where it is appropriate. We discuss traffic, required streetscaping, provide the bike trails required by the

Master Plan, pedestrian linkages where needed, energy efficient design, and public art. We look at projects for Crime Prevention Through Environmental Design (CPTED) to see if the plan proposed does not create opportunities for crime. We look at recreation guidelines to ensure they provide recreation facilities to support proposed development.

- There is a pending Zoning Text Amendment that proposes to make changes to the CBD Zoning including allowing developers to transfer their public use space offsite or contribute to an amenity fund. We considered allowing more flexibility to allow developers to meet their amenity requirements. We have provisions currently in the Silver Spring overlay zone to allow developers to transfer public space offsite but know one has done it yet because it is easier said than done. County Council will have to approve legislation to change the CBD Zones.
- Standard Method and Optional Method are different. When the Committee is presented projects, look at them critically and think of them in terms of the findings of the Planning Board. It would be helpful if Committee members were available to work with us and address the things we do. The biggest concern of yours seems to be by the time you see a project it is fairly far along and you need to be involved earlier in the process to have a better understanding. We could have quarterly meetings and go over projects that are out.

Genny Hardesty stated that the information presented was excellent and a lot of the things that the Committee has already discussed at other meetings are clear and that she would welcome the opportunity to have meetings with the Planning staff.

Barbara Henry asked if the Committee could receive a template of Park and Planning check list to use when they are looking projects. She also would be interested in participating in meetings with Park and Planning.

Glenn Kreger stated that he would get the check list information to the Silver Spring Urban District Committee.

Jon Lourie stated that the Committee had discussed some of the broader issues when looking at projects in piecemeal fashion, concerns about pocket parks and having a broader vision of downtown Silver Spring. Royce Hanson discussed at a Silver Spring Citizens Advisory Board meeting meaningful transfer of development rights to create sizable and meaningful public parks in downtown Silver Spring. This would mean a more proactive Park and Planning and County Council involvement in finding money, eminent domain and to set-up such a mechanism. The Committee interacting and meeting with Park and Planning Staff periodically would be valuable. Another concern is when a developer comes to SSUDAC with a project it is hard for the Committee to determine where it is in the process, that we have a clear understanding of the two stages, preliminary plan versus project plan. Some projects come in relatively early and it's like they have already met with your staff and the Committee input is after the fact.

Glenn Kreger responded that the Planning Board is limited as to what they can do and they have to interpret the projects in terms of the Zoning Ordinance.

Charles Atwell stated the presentation was great and the suggestion of a quarterly meeting would be a great step in helping us to understand the process. Is there a website or documents that you can get to Gary Stith for him to transmit to us electronically of Primer on Development Process and the current

Master Plan so when you are discussing a particular area such as Fenton Street Village that has a Master Plan the committee has time to get up to speed before we have discussions with you.

Glenn Kreger stated that you can access all the Master Plans on the county website and I am not sure if there is a Primer on Development Processes there used to be years ago. For different groups and new officials we have tutorials.

Charles Atwell asked about the transfer density that you talked about from Bethesda.

Glenn Kreger responded that it was not transfer of development but Transfer of Development Rights (TDR). There is a provision in Bethesda for transferring density and in the Bethesda Master Plan but not in the Silver Spring Master Plan.

Bob Middleton asked what Park and Planning is going to do regarding the hiring of more Planners because it is his understanding that they are way behind in hiring the number of Planners needed to do the work.

Glen Kreger stated Park and Planning is behind in hiring Planners but recently hired a number of new Planners that will require training. We are concerned about the County budget because they are looking at a number of cuts in a variety of things.

Genny Hardesty thanked Glenn Kreger for attending and suggested that Gary Stith and Glenn Kreger put the meeting in process and set-up a time for the first session.

Glenn Kreger stated that the group might want the first session to be a tutorial and suggested that the meeting be held at Park and Planning..

### **Civic Building/Veterans Plaza**

Gary Stith reported that:

- The Silver Spring Citizens Advisory Board letter states that they want the Civic Building and Veterans Plaza project to go forward. We had a great event two weeks ago and it was helpful to the people in the community that attended to have a better understanding of the project and why certain options were chosen in terms of the design.  
Thanks to all and especially Kathy Stevens, Silver Spring Citizens Advisory Board and Laura Steinberg, Silver Spring Town Center Inc., for organizing this event. Roger Lewis was involved in the project as part of the design competition and did an article that was a very helpful evaluation of the design and use of the Veterans Plaza. The Citizens Advisory Board had discussed doing a Q&A format to deal with some of the information that was a part of the meeting to share with the community. The Planning Board has scheduled the hearing for June 21 and they have not decided what they are going to do about their staff recommendation yet because there is considerable difference of opinion amongst the staff. In two weeks the Planning



Board is suppose to have a system on-line to sign up to testify. Our office will make sure that Genny Hardesty is signed up to testify on behalf of the Silver Spring Urban District Advisory Board.

### **Discussion**

Jon Lourie stated that he attended the Silver Spring Citizens Advisory Board meeting and their approved letter is still asking for more grass in the project. Roger Lewis's evaluation of the project basically states inserting islands of grass or other soft materials would comprise the designs, simplicity, unity, and programmatic flexibility. Committee members individually should e-mail County Staff and Planning Staff voicing their opinion on the project. I have a concern about how the Planning Staff receives community input and how they make the staff report. The Staff Report initially suggested the ice rink and pavilion be removed from the project. I think these conflicting messages sent by the Silver Spring Citizens Advisory Board regarding more green space and them not fully exploring the ramifications of what they are asking whereas the Planning Board and Planning Staff will.

Barbara Henry stated her concern that the staff of Park and Planning does not necessarily have a position for the position of one of the staff members hits the Press and it seems to me there is something wrong with this and that one staff members opinion of what should or should not happen or be questioned in any project somehow manages to get in public domain before the staff of Park and Planning actually has an opinion. It could be that Robert Kronenberg, Glenn Kreger and Rose Krasnow all have different opinion that they need to work out internally before one of their opinions hits the Press. The idea of doing the quarterly meetings is appealing and we get an opportunity to develop a relationship with Planning.

Genny Hardesty stated that the meetings with Planning will build a relationship and give the Committee an opportunity to have more information and give input. The event on Saturday was public and political opinions at its best and thanks to the organizers.

Barbara Henry stated that she made a proposal to Gary Stith that in the interest of killing fewer trees that we bring some of the stuff in the packet that we don't actually carry with us on a disk and project it. We could just receive the agenda on paper and whatever else Gary Stith deems absolutely necessary.

Genny Hardesty asked if Committee members objected and no one opposed.

### **Marketing and Special Events**

Susan Hoffmann reported that:

- The report is in the packet and if you have question I would be happy to answer.
- There will be an ad in the SILVERDOCS program this year emphasizing our new website.
- The brochure for the Summer Concert Series is at the printer and will be delivered Friday.
- Working with the Arts and Humanities Council and couple of Public Arts Trust on a new program called MetroPerforms. Artist in DC are going to perform at various metro stations and the County was approached to do the same thing at metro sites in the County. The Arts and Humanities Counties, Public Arts Trust and the Silver Spring Regional Center will be working in cooperation and holding auditions for local talent and the artist has to live in the County. Performances will be at the Bethesda Station and Silver Spring Station. The auditions are

Friday, June 29, at the Silver Plaza by the fountain 5:00 -8:00 p.m. This event will be publicized and consist of a panel with 5 judges.

- We have the line-up for the Jazz Festival and it will be publicized after June 2.

### **Q&A**

Barbara Henry asked how one would get appointed to the Arts and Humanities Council Board.

Susan Hoffmann, commented that Barbara Henry should contact Theresa Cameron at the Arts and Humanities Council and possibly Roger Berliner who has expressed an interest in getting involved with the arts.

### **Urban District Report:**

Gary Stith reported that:

- The Urban District staff has completed the annual flower rotation with vinca.
- We are doing tree pit renovation on Fenton Street and Roeder Road.
- Urban District has increased patrol at the Kennett Street garage, Mayor Lane and Mayor Promenade to address issues going on in these locations.
- South Silver Spring is having a Block Party on May 20. We are providing logistical support and some financial support for this event.
- The informational kiosk is working well around the CBD with materials of things going on in downtown Silver Spring.
- We continue to work with DPWT staff with issue surrounding the construction of the Interim Operating Site (ISO) for the transit center and the ISO is scheduled to start July 29. The Urban District continues the process to hire the maintenance and safety positions.

Pete Esker suggested that while the landscaping is being done along the middle of streets and at intersection that the plants that have grown to a height that makes it hard to see pedestrians and cars on Second Avenue by the Courthouse and along Georgia Avenue be cut down.

- Montgomery College Morris and Gwendolyn Cafritz Art Center should be completed and start classes in the fall. Construction started on the new Performing Arts Center at the corner of Burlington and Georgia Avenue. They are halfway through design for the new garage that would be between the railroad track and the Arts Center and want the garage completed by the time the Performing Art Center opens. 1200 Blair Mill Road started construction this week that has 96 units between Blair Mill and Newell Street off of East West Highway. The project manager for 1200 East West Highway was in our office and they are trying to get permits because they are ready to start construction on that project. The Home Properties project will not be a condominium project but apartments and they are not changing the design. They are taking the approved design and constructing it but will operate it as an apartment complex. The JBG project is halfway up and they should top out the 15th floor by September.
- The Silver Spring Citizens Advisory Board has been asked to sponsor a Public Forum for next round of the Capital Improvement Programs (CIP) Forum for the FY09-14. The Public Forum will be on June 13 at 7:00 p.m. at the Round House Education Center.
- There was a work session on the CBD Zone Text Amendment and the document is available on-line. We discussed the document and changes at the CED Committee and it does address issues this Committee raised regarding transfer of public use space and being more liberal on the kinds

of amenities and other items. I do have concern on how effective some of the changes are going to be regarding items like transfer density that is allowed and know one ever uses, and the way they have set-up contributing to a fund for public use space. I will share my comments with the Planning Staff.

- County Council adopted the Budget today and I do not have details. There were no Urban District items on the reconciliation list.

Charles Atwell stated his concern about the transit buses in downtown Silver Spring with Metro and Ride-On buses not adhering to traffic signals and pedestrians and that the situation exist throughout the CBD. I propose that we express our concern to the Director of DPWT and ask the Assistant Transit Director, the WMATA liaison and Tom Harmon, Police to attend our meetings and have a discussion on these concerns.

Barbara Henry stated Discovery has tried to talk with WMATA and Ride-On for the past four years with no affect whatsoever. WMATA will come to the meetings and tell you how they are going to fix the problems but nothing happens.

**Meeting adjourned 6:00 p.m.**